

**TOWN COUNCIL  
REGULAR MEETING  
DECEMBER 20, 2000**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:01 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Weiner and Councilmembers Clark, Cox and Paul. Also present were Town Administrator Willi, Town Attorney Kiar, and Acting Town Clerk McDaniel recording the meeting.

**3. PRESENTATIONS**

**3.1 United Way Representatives**

Acting Fire Marshall Len Costanza spoke on the successful United Way campaign and presented a Certificate of Appreciation to Cheryl Ellett. He thanked the representatives from the different departments who were unable to be present for their efforts.

**3.2 Davie/Cooper City Chamber of Commerce**  
No representative was present.

**3.3 Pine Island Park Update**

Public Works/Capital Projects Manager Bruce Bernard advised that the underground utility was completed and had come in under budget. The design portion was underway and most of the project would be completed by mid-February with the gymnasium scheduled for completion in June.

**3.4 Upcoming Special Events - Sharon Pierce-Kent and Bonnie Stafiej**

Sharon Pierce-Kent, Parks and Recreation Director, announced that upcoming events included: girls softball and boys and girls baseball registration; Orange Classic Soccer Tournament (December 26th - 28th); and a craft program for seniors and adults (Tuesday mornings).

Bonnie Stafiej, Special Projects Coordinator, advised of the Lighting of the Green awards: Elementary: 3rd place - Davie Elementary; 2nd place - Beacon Hill; 1st place - Hawkes Bluff; Middle: 2nd place - Apollo; 1st place - Nova Middle; High School: 3rd place - Hollywood Hills; 2nd place - Hollywood Hills Art Club; 1st place - Cooper City; Non-Profit Kids: 3rd place - Cub Scout Troop #131; 2nd place - Brownie Troop #607; 1st place - 4-H Spun Gold; Non-Profit Adults: 3rd place - The Quest; 2nd place - Project Stable; 1st place - Academy High; Best Decorated Menorah: Shalom Salome.

Ms. Stafiej advised that the Dr. Martin Luther King, Jr. Celebration Day at Potter's Park was scheduled for January 14th.

Mayor Venis advised that item 7.5 was withdrawn.

Mayor Venis announced that items 7.19, and 9.11, 9.12 needed to be tabled to January 17, 2001.

Councilmember Paul made a motion, seconded by Councilmember Cox, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

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**4. MAYOR/COUNCILMEMBER'S COMMENTS**

**HOLIDAY WISHES.** Mayor Venis extended holiday greetings.

**LIGHTING OF THE GREEN.** Mayor Venis thanked Town staff and the sponsors for their participation with the event.

**FOREST RIDGE HOLLY DAY PARADE.** Mayor Venis advised that he had been the parade's Grand Marshal.

**WATERFORD PATIO HOMES.** Mayor Venis reported that e-mails had been received concerning the poor condition of the land behind the backyard fences. He asked Mr. Willi to look into this problem.

**TURNPIKE AUTHORITY.** Mayor Venis stated that a meeting was set for January 31st with the Turnpike Authority and the Department of Transportation.

**DAVIE ELEMENTARY SHELTER.** Mayor Venis indicated that he would be meeting with School Board Member Carol Andrews to discuss the shelter project and would report back to Council.

**POLICE ATHLETIC LEAGUE (PAL) CHRISTMAS PARTY.** Mayor Venis stated that he attended the party which was a great event.

**BOUNDARY ISSUES.** Mayor Venis advised that he had intended to arrange a meeting of PTA organizations and parents who were affected by the boundary changes before the boundary meetings in February, but this meeting had not been possible. He felt Council needed to attend the February meeting, but the schools needed to be contacted to see what their issues and needs were.

**COUNCILMEMBER CLARK**

**PAL BASEBALL.** Councilmember Clark advised that baseball registration was in progress and coaches were needed.

**FIREFIGHTER UNION HOLIDAY PARTY.** Councilmember Clark indicated that she had attended this event and felt it was a fun event.

**PAL CHRISTMAS PARTY.** Councilmember Clark felt the party went well and appreciated being involved. She thanked those who had collected the toys that were given to the children.

**CONGRATULATIONS.** Councilmember Clark extended congratulations to St. Thomas on going to the championships.

**COUNCILMEMBER COX**

**LIGHTING OF THE GREEN.** Councilmember Cox congratulated the Public Works Department on the excellent job for the event.

**JINGLE BELL PARADE.** Councilmember Cox stated that the parade initially had to be postponed, but thanked all who had participated in the event.

**LEAGUE OF CITIES CONFERENCE.** Councilmember Cox advised that she would report on the conference at the next meeting.

**HAPPY HOLIDAYS.** Councilmember Cox wished everyone a great holiday and gave her regrets for having missed the PAL Christmas Party.

**VICE-MAYOR WEINER**

**SEASONS GREETINGS.** Vice-Mayor Weiner extended best wishes to all and advised residents to be careful on New Year's Eve.

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**COMPUTERS.** Vice-Mayor Weiner congratulated Mr. Willi on addressing the need for computers and hardware for next year.

**WEBSITE.** Vice-Mayor Weiner questioned if any local high school or college students would be interested in redesigning the website.

**CONDOLENCES.** Vice-Mayor Weiner advised of the death of his neighbor, Pete DeBanado, and extended thoughts and prayers to the family. He thanked the Fire Department for all the times it had come to help.

**WATER NEGOTIATIONS.** Vice-Mayor Weiner asked that discussion on the negotiations between Sunrise and Davie be placed on the next meeting's agenda and asked for a report by the consultants.

**FIRE SERVICE.** Vice-Mayor Weiner reminded everyone that the Town and Broward County were jointly providing fire rescue services to Southwest Ranches. He discussed provisions to Pine Island Ridge and stated that the County wanted to give the Town \$100,000 for transport fees; however, he had calculated that the community would generate \$1.3 - \$1.4 million in assessments. Vice-Mayor Weiner indicated that he had asked the County if this was a mistake. He stated that the County had detailed other services that it provided and the County felt the amount was fair. Vice-Mayor Weiner felt that the amount was not fair to the residents of Pine Island Ridge or the Town and he would like to see \$225,000-\$250,000 from the County.

**COUNCILMEMBER PAUL**

**SUNSHINE VILLAGE.** Councilmember Paul passed onto Mr. Willi a request for speed humps in this area and children at play signs.

**WATER RESTRICTIONS.** Councilmember Paul asked if there would be any enforcement of the restrictions and asked that information be sent to the residents.

**IVANHOE RESIDENTS.** Councilmember Paul thanked Mr. Willi for arranging a meeting with the residents.

**CHRISTMAS PARTIES.** Councilmember Paul advised that she enjoyed the firefighter's party and the PAL party.

**ACTORS COMMUNITY THEATER.** Councilmember Paul stated that the group would be rehearsing an Agatha Christie play for a performance in two months.

**TREES.** Councilmember Paul thanked Mr. Bernard for the trees that were planted at 154th.

**SPECIAL PROJECTS.** Councilmember Paul advised that she had met with Programs Administrator Chris Kovanes who was working on a GIS satellite program, which would result in expediting reports. She congratulated Mr. Kovanes on his position.

**MENTORING PROGRAM.** Councilmember Paul advised that she had begun her duties as a mentor at Davie Elementary and encouraged all residents to get involved in this program. She asked Mr. Willi if an hour of release time could be given to Town employees to assist students.

**LIGHTING OF THE GREEN.** Councilmember Paul thanked staff for what a great holiday addition this was to the Town.

**COUNTY CHILDREN'S SERVICES BOARD.** Councilmember Paul thanked the Broward County Commission for being appointed to this board.

**SCHOOL BOUNDARIES.** Councilmember Paul advised that she had been meeting with School Board members regarding the boundaries issue as well as proposed new school sites.

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**THE CAN THAT CAN.** Councilmember Paul spoke about the Broward Coalition's program that allowed residents to purchase a can, which included certificates for services, for the homeless. She advised that the can could be given in lieu of cash.

### **5. TOWN ADMINISTRATOR'S COMMENTS**

**ACKNOWLEDGEMENT OF EMPLOYEES.** Mr. Willi advised that a picture of employees and a bio would be published in the Davie Update to honor "Employees of the Quarter". The first employees to receive the award were Carole Stratman, Floyd Smith, and James Hamlet and he advised of their achievements. Mr. Willi indicated that the employees would receive lunch certificates from Pizza Loft.

**BUS SERVICE.** Mr. Willi advised that the bus service would begin January 16th and it would be placed on the January 3rd agenda for approval. He indicated that there would be a commemoration event for the opening.

**TOWER SHOPS.** Development Services Director Mark Kutney provided a report to Council and itemized what had been addressed since January. He advised that Code Compliance had been monitoring on Friday evenings. Mr. Kutney stated staff would be bringing back an agreement to Council and he would like to work with the Davie Police Department on the car show.

**HAPPY HOLIDAYS.** Mr. Willi extended holiday greetings to staff and the residents.

**TRANSIT SYSTEM.** Dean Alexander spoke about the system and felt that ridership could be promoted by advertising on Comcast and in the newspaper. He thought a unique name for the system would assist in this - "Davie Rapid Transit" or "DART" and presented a possible logo. Councilmember Paul recommended having a contest to name the system.

#### **5.1 Capital Projects**

Mr. Willi stated that the first public hearing on the capital projects was proposed for January 17th. Mayor Venis confirmed that this would be updated every year.

### **6. TOWN ATTORNEY'S COMMENTS**

**PAL PARTY.** Mr. Kiar thanked the PAL for this event.

**KUEGLER.** Mr. Kiar advised that the depositions had been taken and trial was set for January 8th.

**ORDONEZ.** Mr. Kiar said that opposing counsel was filing a summary judgment asking that the charges against the Mayor and former Chief of Police be dismissed.

**MVP PROPERTIES.** Mr. Kiar stated that Mr. Burke had filed on behalf of the Town in federal court asking that the complaint be dismissed.

**FLORIDA DEPARTMENT OF AGRICULTURE.** Mr. Kiar advised that research assignments had been completed and forwarded to the County's attorney.

**MARINON.** Mr. Kiar indicated that the trial had been set for March 2001 and advised that the League was handling this case. He stated that he would be in attendance at the mediation and asked that a representative from the Town also attend.

Councilmember Paul asked about the Hurley case. Mr. Willi advised that the case was still under the authority of the special master and Mr. Stallone needed to approach the special master to waive jurisdiction.

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**7. CONSENT AGENDA**

*Minutes*

- 7.1 October 18, 2000 - Regular Meeting
- 7.2 November 1, 2000 - Regular Meeting
- 7.3 November 15, 2000 - Special Meeting

*Home Occupational License*

- 7.4 Extreme Wheels, Inc., 1831 SW 116 Avenue

*Resolutions*

**7.5 WITHDRAWN BY STAFF**

BOARD DUTIES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE PARKS AND RECREATION ADVISORY BOARD TO REVIEW AND PROVIDE RECOMMENDATIONS REGARDING THE METHODS, MANNERS AND PRACTICES INVOLVED AND TO BE FOLLOWED BY THE TOWN FOR ITS FUTURE DELIVERY FOR YOUTH AND ADULT RECREATIONAL AND ATHLETIC PROGRAMMING. (tabled from November 15, 2000)

- R-2000-293 **7.6 LOAN NEGOTIATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE NEGOTIATION OF LOAN IN AN AGGREGATE AMOUNT NOT TO EXCEED \$13,000,000 FROM THE CAPITAL TRUST AGENCY (CAPITAL PROJECTS AND EQUIPMENT ACQUISITION PROGRAM); APPROVING THE ACQUISITION, CONSTRUCTION AND ERECTION OF CERTAIN CAPITAL PROJECTS; APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE CAPITAL TRUST AGENCY; AUTHORIZING THE EXECUTION AND DELIVERY OF A NOTE; APPROVING THE EXECUTION AND DELIVERY OF A DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 5, 2000)**

- R-2000-294 **7.7 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A TEMPORARY RIGHT-OF-WAY USE AGREEMENT BETWEEN THE TOWN OF DAVIE AND TCF SOUTH FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

- R-2000-295 **7.8 PURCHASE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE PURCHASE OF SPECIALIZED EQUIPMENT FOR TRAFFIC HOMICIDE INVESTIGATIONS FROM COASTAL INSTRUMENT & SUPPLY CO. (\$12,954)**

- R-2000-296 **7.9 PURCHASE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR A SECONDARY BASE RADIO, PIGGYBACKING BROWARD COUNTY CONTRACT #D03961134, TO BE PURCHASED FROM THE LAW ENFORCEMENT TRUST FUND. (Motorola - \$13,294.63)**

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- 7.10  
R-2000-297     **HIRING AND SCREENING PROGRAM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE TOWN'S PARTICIPATION IN THE MUNICIPAL EMPLOYEES SCREENING AND HIRING (MESH) PROGRAM. (\$1,000)
- 7.11     **CLASS SPECIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RETITLING AND REVISING THE JOB CLASSIFICATION FOR THE POSITION OF ECONOMIC DEVELOPMENT COORDINATOR TO ECONOMIC DEVELOPMENT MANAGER AND ADJUSTING THE PAY GRADE IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN.
- 7.12  
R-2000-298     **CLASS SPECIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CREATING THE CLASS SPECIFICATION FOR THE POSITION OF PLANNER III IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN.
- 7.13  
R-2000-299     **DONATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A DONATION OF \$58,000.00 TO THE DAVIE POLICE ATHLETIC LEAGUE FOR THE PURPOSES OF HIRING TWO RECREATION ATTENDANTS
- 7.14  
R-2000-300     **VIDEO EQUIPMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF ELECTRIC IMAGE MEDIA SYSTEMS TO PROVIDE AND INSTALL VIDEO EQUIPMENT FOR COUNCIL CHAMBERS. (Electric Image Media Systems - \$37,465.25)
- 7.15  
R-2000-301     **NOTE REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "ICW SOUTH PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 12-1-00, 4400 Weston Road)
- 7.16  
R-2000-302     **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FEDERATION OF PUBLIC EMPLOYEES BLUE COLLAR UNIT.
- 7.17  
R-2000-303     **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FEDERATION OF PUBLIC EMPLOYEES WHITE COLLAR UNIT.
- 7.18  
R-2000-304     **CLASS SPECIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REVISING THE CLASS SPECIFICATION FOR THE POSITION OF FIRE CHIEF IN THE NON-REPRESENTED CLASSIFICATION PLAN.

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*Site Plans*

**7.19 PETITIONER REQUESTING A TABLING TO JANUARY 17, 2001**

SP 4-2-00, Armadillo Square, 4614 SW 64 Avenue (Griffin Road Corridor) (tabled from December 5, 2000) Planning and Zoning Division recommended denial; Site Plan Committee recommended denial

- 7.20** SP 6-6-00, Jasmine Lakes - Phase II, 4701 SW 62 Avenue (RM-16) Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to staff's recommendations and the following: to remove the interior walls from the dumpster enclosures; add four groupings of three Carpentaria Palms, 14 to 20 foot overall height in front of each building; and the front elevation would be corrected to definitively show the mansards per the left and right elevations

Mayor Venis asked that item 7.13 be removed from the Consent Agenda. Councilmember Paul asked that item 7.11 be removed.

Vice-Mayor Weiner made a motion, seconded by Councilmember Clark, to approve the Consent Agenda without items 7.11 and 7.13. In a voice vote, all voted in favor. (Motion carried 5-0)

7.11 Councilmember Paul felt that backup information should have been provided on this item, on the accomplishments and a future plan. Mr. Willi said that staff had not completed this, but there would also be a five-year plan. Councilmember Paul thought this was an important issue and represented an effort to bring different types of business to the Town. Mr. Willi advised that he could not name the accomplishments of this employee.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to table until a report could be obtained. In a voice vote, all voted in favor. (Motion carried 5-0)

7.13 Councilmember Clark indicated that she would abstain from any discussion or voting as Richard and Isaiah Clark, the employees who were being considered, were relatives.

Police Chief John George felt there was a need for full time staff and had proposed two salaried positions; however, because of nepotism, the Clarks could not be brought on board as staff of the Police Department. He advised that Mr. Kiar and Mr. Willi supported his recommendation to make a contribution to the PAL program so that it could continue the employment of the Clarks. Chief George stated that the resolution was prepared with an entry level salary, but because of the Clarks qualifications, he thought the salary should be at mid-range. He asked Council to approve the salary at a mid-range level with benefits and pointed out that the Clarks were inherent to the success of the PAL program.

Mayor Venis supported this suggestion as the Clarks had been with the program from the beginning and were not entry level. He felt that the program was headed in the right direction and the right people were important, which would require compensation.

Chief George explained the new salary schedules and indicated that the Clarks would be employees of PAL, not of the Town.

Ron Nelson, President of PAL, gave a history of the Clarks involvement with PAL and all the time they had devoted over the years. He added that they were a tremendous asset and encouraged Council to approve the resolution.

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Councilmember Cox spoke about previous discussions with Chief George regarding their job descriptions and qualifications and she understood that these jobs would be advertised. She stated that nepotism rules were quite common and were in place to protect the employer and the community. Councilmember Cox advised that the money was being given to PAL to circumvent the nepotism rules of the Town and felt that circumventing the rules was not right. She thought the Town was going in the direction of disregarding policies regarding hiring and firing and felt it was important to follow the personnel rules. Councilmember Cox stated that political connections needed to be avoided. She spoke about the two individuals and admired their commitment, but stated that the nepotism rule could be changed but should not be circumvented.

Mayor Venis asked Mr. Willi if the Town was following policy. Mr. Willi took exception to the characterization of recent events. He stated that currently, there was an EEO complaint for harassment which was something anyone could allege, however, there was no merit to this case. Mr. Willi did not feel that policy violations had occurred. Mayor Venis felt that policies were strictly followed and that these two employees had been on the PAL payroll. He indicated that this resolution made the positions permanent and did not see this as circumventing the rules.

Vice-Mayor Weiner was offended that any Councilmember would discuss violating rules and policies at a Council meeting, exposing the Town to liabilities and questioned whether nepotism rules were constitutional. He said that other employees were married and there were some vendors that were relatives of Town employees. Vice-Mayor Weiner advised that he had spoken to the Ethics Commission and it was right for Councilmember Clark to not vote on this issue. He advised that there was no legality with PAL funding or conflict of interest in this case according to the Ethics Commission. Vice-Mayor Weiner felt that PAL was not bound to advertise these positions and that circumventing was not taking place, but it should have been handled cleaner in the budgetary process. He offered his support in approving the resolution.

Councilmember Paul stated that she knew the two prospective employees and felt they had done a wonderful job. Her concern with nepotism was where two related people were working in the same department and one had control over the salary or position of another, which was not the case in this situation. Councilmember Paul approved of the request.

Councilmember Cox stated that it was obvious that this was not a violation of the rules as Mr. Kiar had advised. She indicated that she liked Mr. Kiar's suggestion of making one employee of PAL and one of the Police Department. Councilmember Cox added that the issue was not whether the Clarks were doing a good job, because they were. She stated that her problem was with how the nepotism and the rules of the Town were being dealt with. Councilmember Cox agreed that the manner in which this was being done was legal, but it still represented a circumvention.

Chief George explained the funding of these positions and discussed on alternatives on how to handle it. He felt that the most direct plan was to fund PAL as it was a non-profit organization. Chief George asked that the budgeted funds be allocated for these positions and added that he had not discussed this with Councilmember Clark.

Mayor Venis recommended that PAL supply the benefits not the Town. Councilmember Cox questioned if the benefits package would be the same as the Town's benefits if PAL provided the benefits. Vice-Mayor Weiner suggested that staff return to Council on the benefits package.



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Vice-Mayor Weiner made a motion, seconded by Councilmember Paul, to approve the donation from the Town from a line item in the Police Department's budget as a contribution to PAL to fund the two positions in mid range as suggested by Police Chief under the new collective bargaining agreement, and to direct PAL to return to Council when they have identified the cost of benefits. In a voice vote, with Councilmember Cox dissenting and Councilmember Clark abstaining, all voted in favor. (Motion carried 3-1)

**8. PUBLIC COMMENTS**

*Ordinances - First Reading (Public Hearing to be held January 3, 2001)*

- 8.1 AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 97-70 BY AMENDING ARTICLE 2 THEREOF ENTITLED "COLLECTION AND HAULING OF SOLID WASTE"; AMENDING ARTICLE XI THEREOF ENTITLED "BILLING AND COLLECTION PRACTICES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Weiner - yes; Councilmember Clark - yes; Councilmember Cox - out of room; Councilmember Paul - yes. (Motion carried 4-0)

Vice-Mayor Weiner made a motion to suspend the rules and discuss item 11.4. The motion died for lack of a second.

- 8.2 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 7(A) OF THE TOWN CHARTER TO PROVIDE THAT COUNCILMEMBERS SHALL BE ELECTED FROM SINGLE MEMBER DISTRICTS EXCEPT FOR THE MAYOR/COUNCILMEMBER WHO SHALL BE ELECTED AT LARGE FROM ALL OF THE TOWN'S REGISTERED VOTERS; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title. Mayor Venis advised that a public hearing would be held on January 3, 2001.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Vice-Mayor Weiner made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

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- 8.3 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 7(H) OF THE TOWN CHARTER REQUIRING NO LESS THAN A SUPER-MAJORITY OF MEMBERS PRESENT OF THE TOWN COUNCIL ("SUPER-MAJORITY" BE DEFINED AS A MAJORITY PLUS ONE OF TOWN COUNCIL MEMBERS PRESENT) FOR APPROVAL OF LAND USE PLAN AMENDMENTS; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Weiner - yes; Councilmember Clark - yes; Councilmember Cox - yes; Councilmember Paul - yes. (Motion carried 5-0)

- 8.4 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 7(J)(1) TO INCREASE THE SALARIES OF THE COUNCILMEMBERS TO \$1,500 PER MONTH AND OF THE MAYOR TO \$2,000 PER MONTH; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 8.5 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 9(A) OF THE TOWN CHARTER TO PROVIDE THAT THE TOWN COUNCIL SHALL IDENTIFY THE REMAINING RURAL AND EQUESTRIAN AREAS WITHIN THE TOWN AND ADOPT APPROPRIATE LEGISLATION TO ENSURE THE PRESERVATION OF THESE AREAS; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

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Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 8.6 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF THE SECOND SENTENCE OF SECTION 11 TO DELETE REFERENCE TO "VOLUNTEER" AND ADD LANGUAGE CONCERNING EMPLOYEES AND REGULAR FULL-TIME FIREFIGHTERS; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 8.7 REFERENDUM - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PROVIDING FOR AMENDMENT OF THE THIRD SENTENCE OF SECTION 11 TO DELETE REFERENCE TO THE CHIEF OF THE FIRE DEPARTMENT ACTING AS FIRE MARSHAL; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

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- 8.8 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM BP, BUSINESS PARK DISTRICT, TO BP, BUSINESS PARK DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-2-00, Willow Acquisitions, LLC, 4300 and 4400 Weston Road)**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Vice-Mayor Weiner made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 8.9 FEE ASSESSMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA ASSESSING A FEE ON TELECOMMUNICATIONS COMPANIES THAT OCCUPY MUNICIPAL RIGHTS-OF-WAY FOR TELECOMMUNICATIONS FACILITIES; PROVIDING FOR WHEN PAYMENTS ARE DUE; PROVIDING FOR INTEREST; PROVIDING FOR REVIEW OF RECORDS; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Mayor Venis advised there would be a public hearing on all the abovementioned items on January 3rd.

Mr. Kovanes stated that this ordinance would take affect January 3rd and would be in effect until October 1, 2001. He explained that the franchise agreements would be condensed into one.

Mr. Kiar explained that this ordinance was designed to provide a source of revenue and beginning October 2001, the State would take over and figures would be based on 1999.

Councilmember Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

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**9. PUBLIC HEARINGS**

*Ordinances - Second and Final Reading*

- 9.1 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,**  
2000-42 **FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, CHAPTER 26, BY ADDING ARTICLE I, ENTITLED "CLEARING OF POTENTIAL WILDLIFE HABITAT", AND SECTION 26-1, ENTITLED "REQUIREMENTS FOR WILDLIFE PROTECTION PRIOR TO LAND CLEARING", CONCERNING ENDANGERED SPECIES, RARE SPECIES, SPECIES OF SPECIAL CONCERN, AND THREATENED SPECIES, AND REQUIRING COMPLIANCE BEFORE PERMIT BEING ISSUED BY THE BUILDING DEPARTMENT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 9.2 **PENSION PLAN AMENDMENT - AN ORDINANCE OF THE TOWN**  
2000-43 **COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE POLICE PENSION PLAN TO CONFORM WITH CHAPTER 185, FLORIDA STATUTES; AMENDING THE DEFINITION OF FINAL AVERAGE EARNINGS IN ARTICLE ONE OF THE PENSION PLAN; AMENDING ARTICLE THREE OF THE PENSION PLAN TO REMOVE THE EIGHTY PERCENT CAP AFTER FORTY YEARS OF SERVICE, PROVIDING FOR EARLY RETIREMENT AT AGE FIFTY WITH TEN YEARS OF SERVICE, PROVIDING FOR PAYMENT OF OPTIONAL FORMS OF PAYMENT TO DISABLED RETIREES, AND PROVIDING FOR MINIMUM SERVICE CONNECTED DISABILITY BENEFITS OF FORTY-TWO PERCENT OF AVERAGE FINAL COMPENSATION; AMENDING ARTICLE FOUR OF THE PENSION PLAN TO PROVIDE FOR THE TEN YEAR CERTAIN AND LIFE ANNUITY AS THE NORMAL FORM OF RETIREMENT, PROVIDING FOR AN OPTIONAL SEVENTY-FIVE PERCENT JOINT AND SURVIVOR ANNUITY, AND REVISING THE METHOD OF DESIGNATING BENEFICIARIES; AMENDING ARTICLE SEVEN OF THE PENSION PLAN TO REQUIRE TOWN CONTRIBUTIONS AT LEAST QUARTERLY, PROVIDING THAT STATE CONTRIBUTIONS SHALL BE DEPOSITED INTO THE FUND IMMEDIATELY UPON RECEIPT, AND PROVIDING THAT MEMBER CONTRIBUTIONS SHALL BE DEPOSITED INTO THE FUND IMMEDIATELY AFTER EACH PAY PERIOD; PROVIDING FOR PROSPECTIVE ADJUSTMENT OF BENEFITS BASED ON THE RECEIPT OF CHAPTER MONIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.**

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Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Vice-Mayor Weiner stated that a memo was received from staff regarding the need for a petition for administrative hearing. Mr. Kiar did not know if this had been filed. Captain Ed Taylor advised that a petition was filed by Mr. Klausner.

Vice-Mayor Weiner made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

9.3        **PENSION PLAN AMENDMENT - AN ORDINANCE OF THE TOWN**  
2000-44    **COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE FIREFIGHTERS PENSION TRUST FUND TO CONFORM WITH CHAPTER 175, FLORIDA STATUTES; AMENDING SECTION FOUR OF THE PLAN TO REQUIRE TOWN CONTRIBUTIONS AT LEAST QUARTERLY, PROVIDING THAT STATE CONTRIBUTIONS SHALL BE DEPOSITED INTO THE FUND IMMEDIATELY UPON RECEIPT, AND PROVIDING THAT MEMBER CONTRIBUTIONS SHALL BE DEPOSITED INTO THE FUND IMMEDIATELY AFTER EACH PAY PERIOD; AMENDING SECTION SIX OF THE PLAN TO PROVIDE FOR AN UNREDUCED TEN YEAR CERTAIN AND LIFE ANNUITY AS THE NORMAL FORM OF RETIREMENT; PROVIDING FOR OPTIONAL JOINT AND SURVIVOR ANNUITIES OF 50%, 66 2/3%, 75% AND 100%; PROVIDING FOR EARLY RETIREMENT WITH TEN YEARS OF SERVICE; AMENDING SECTION EIGHT OF THE PLAN TO PROVIDE FOR OPTIONAL FORMS OF PAYMENT TO DISABLED RETIREES; AMENDING SECTION TEN OF THE PLAN TO PROVIDE FOR A MINIMUM NON-SERVICE CONNECTED DEATH BENEFIT FOR VESTED MEMBERS EQUAL TO THE MEMBER'S ACCRUED BENEFIT PAYABLE AT NORMAL OR EARLY RETIREMENT AGE; PROVIDING FOR PROSPECTIVE ADJUSTMENT OF BENEFITS BASED ON THE RECEIPT OF CHAPTER MONIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

*Resolution*

9.4        **AMEND FEE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**  
R-2000-305    **AMENDING THE ANNUAL FIRE SAFETY INSPECTION FEE ESTABLISHED BY RESOLUTION R-99-85; AND PROVIDING AN EFFECTIVE DATE.**

Acting Town Clerk McDaniel read the resolution by title.

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Mayor Venis asked if anyone wished to speak for or against the resolution. As no one spoke, the public hearing was closed.

Councilmember Paul made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

*Vacation/Abandonment*

- 9.5 VA 11-1-00, Town of Davie, 7485 Davie Road Extension (B-1, B-2, CF and RM-16) (to vacate a portion of the NW 33 Street right-of-way) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Planning and Zoning Manager Jeff Katims explained the request.

Mayor Venis asked if anyone wished to speak for or against the item. As no one spoke, the public hearing was closed.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

*Land Use Plan Amendment*

- 9.6 LA(SS) 00-4A, Investor Financial Corporation/Brenner, generally located on the west side of Davie Road approximately 1/8 mile north from the intersection with Stirling Road (from Commercial and Special Classification R-2 du/ac to Special Classification R-7 du/ac) *Planning and Zoning Division recommended approval; Local Planning Agency recommended approval*

Mr. Katims summarized the staff report and provided a history of the project.

Bill Laystrom, representing the petitioner, explained the request.

Vice-Mayor Weiner indicated that he had spoken to Mr. Laystrom on this item.

Mayor Venis asked if anyone wished to speak for or against the item. As no one spoke, the public hearing was closed.

Vice-Mayor Weiner made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

*Quasi Judicial Items*

- 9.7 **VARIANCE** - V 10-1-00, Stirling Place, Inc., 6851 Stirling Road (B-1 and B-2) (to exceed the maximum flag pole height of 43.75 feet by 36.25 feet for a total height of 8 feet) (tabled from December 5, 2000) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to affirmative covenant running with the land for the flag to always be in pristine condition and that the flag will be an American flag*

Mayor Venis swore in the witnesses.

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Mr. Kiar advised that he had listened to the Site Plan Committee tapes and at a May 1999 meeting, the issue had come up where the petitioner agreed that he would need a variance for a flagpole.

Councilmember Clark indicated that she had spoken with Lowell Goode.

Mr. Kutney stated that the petitioner was not present and recommended that this item be tabled until the next meeting.

Councilmember Paul made a motion, seconded by Councilmember Cox, to table to the January 3, 2001. In a voice vote, all voted in favor. (Motion carried 5-0).

- 9.8      **VARIANCE** - V 10-3-00, Kalis and Kleiman, P.A./Ireland Davie Ltd., 1801 South University Drive (B-2, Old Code) (to increase the maximum allowable wall signage of 347.5 square feet to 620 square feet, for an additional 272.5 square feet of wall signage) (tabled from December 5, 2000) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended approval*

Mayor Venis advised that all the witnesses had already been sworn in. Mr. Katims summarized the planning report.

Neal Kalis, Lou Orosz, Sheldon Cantor and Ralph Choff, representing the petitioner, were present. Mr. Kalis discussed the request for a larger sign for Bed Bath and Beyond and the history of the shopping center since the I-595/University Drive intersection was built. He displayed plans and photos of the site explaining the proposed signage and the visibility from University Drive and I-595 overpass. Mr. Kalis distributed a letter dated December 13, 2000, from the Valencia Village Homeowners Association indicating that it had endorsed the request.

Mr. Choff addressed Council regarding the proportion of the sign to the building. He explained that the tenant was set back 500 feet from the roadway and was screened from I-595. Mr. Cantor felt that exposure on I-595 was critical to the success of the store. He indicated that the proposed size was recommended by staff and as small as the petitioner was comfortable with.

Mr. Kalis stated that it was the applicant's intent to help revive this center. He agreed that what was requested was the minimum allowable size for a sign in this difficult area.

Councilmember Cox asked if the pediment would come up higher than the building. Mr. Kalis agreed that it was higher than the roof height. Mr. Choff explained the north side elevation and that the east side would be six to eight feet taller than the current elevation of the building.

Vice-Mayor Weiner stated that he had spoken to Mr. Kalis on December 19th regarding the height of the sign and questioned if the sign would be visible from across I-595. Mr. Kalis said that it would not.

Councilmembers Cox and Paul and Mayor Venis stated that they had spoken with Mr. Kalis on this issue.

Mayor Venis asked if anyone wished to speak for or against the item.

Tom Truex, 4740 SW 72 Avenue, felt that since this was an important property, special concessions were needed. He asked Council to approve the request.

Mayor Venis closed public hearing.



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Councilmember Paul made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 9.9 **VARIANCE** - V 10-2-00, Jazayri, 450 SW 130 Avenue (B-3) (from Section 12-34(CC)(1)(a) which requires a minimum parcel size for the development of an automobile and/or truck sales facility to be 5 acres to a minimum parcels size of 3.1 acres) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended denial*

Mayor Venis swore in the witnesses.

Mayor Venis advised that the residents of Paradise Village had not received notice of this request. Mr. Kutney advised that notices were mailed to property owners and as this was a mobile home park, the residents may not have received them.

Mayor Venis suggested that the item be tabled to January 17th since the residents wanted to attend but had found out about the meeting too late.

Councilmember Cox advised that she had spoken to the park's manager and the president of the homeowners association.

Mr. Kutney stated that a sign had been posted on both sides of the property.

Councilmember Paul advised that she had also spoken with some of the residents. Councilmember Clark and Mayor Venis indicated that they had spoken with Mr. Siegle.

Bill Laystrom, representing the petitioner, advised that he was willing to receive resident input and provided a quick synopsis of the project. He asked that the request be tabled to January 17th.

Joy Yoder, 12610 SW 13 Manor, asked if there would be test driving of these vehicles and what size these vehicles are, as children played in the area. Mr. Laystrom stated that there was much less test driving with trucks and the testing would be limited to State Road 84.

Mayor Venis closed the public hearing.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to table to January 17, 2001. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

- 9.10 **SPECIAL PERMIT** - SE 9-2-00, Nextel Communications/Palm Peterbuilt-GMC Trucks, Inc., 2441 South State Road 7 (B-3) (to construct a cellular monopole with antennas attached and an unmanned equipment shelter) (tabled from December 5, 2000) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Mayor Venis swore in witnesses. Mr. Katims summarized the permit request.

John Shamarin, Jenny White, Troy Gill, and Tom Moore, representing the petitioner, were present. Mr. Shamarin indicated that the 100 foot monopole would accommodate two other providers and would be located in a part of the compound where it would be screened by landscaping and a wall. He stated that this was a capacity site and there was a specific need in this area to provide for gaps in service.

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Mayor Venis asked if anyone wished to speak for or against the request. As no one spoke, the public hearing was closed.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - yes; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 5-0)

*Items to be tabled*

**9.11 PLANNING AND ZONING BOARD TABLED TO JANUARY 10, 2001;  
COUNCIL CAN TABLE TO JANUARY 17, 2001**

VARIANCE - V 5-4-00, Lombardo/Ross-Matz Investments, 8020 SW 30 Street (B-2) (tabled from October 18, 2000)

This item was tabled earlier in the meeting.

**9.12 PLANNING AND ZONING BOARD TABLED TO JANUARY 10, 2001;  
COUNCIL CAN TABLE TO JANUARY 17, 2001**

MSP 8-1-00, Ivanhoe Planned Unit Development (PUD) (tabled from October 18, 2000)

This item was tabled earlier in the meeting.

Mayor Venis closed the public hearing portion of the meeting.

**10. APPOINTMENTS**

**10.1 Budget Advisory Committee (one exclusive appointment - Councilmember Clark; term of January 2001 to December 2001)**

Councilmember Clark deferred her appointment until the next meeting so that her perspective appointee could be provided with information regarding the Committee.

**10.2 Davie Water Advisory Board (one exclusive appointment - Mayor Venis; term of January 2001 to December 2001)**

Mayor Venis appointed Mike Crowley .

**11. NEW BUSINESS**

**11.1 Attorney Bill for Previous Councilmember James Bush**

Mr. Kiar advised that he had spoken to the law firm and Mr. Bush and was advised that the bill had not been paid. He indicated that he had received a faxed revised statement for professional services rendered for a total of \$4,173.87.

Vice-Mayor Weiner expressed concern that the bills for meals, parking, etc. showed that the attorney had other business at the time and asked if the other clients shared had this cost. He stated that the charges on page 3 of the fax were irrelevant to the attorney's work for the Town, as it was his own filing of a complaint. Vice-Mayor Weiner stated that he approved of payment excluding the February items.

Vice-Mayor Weiner made a motion, seconded by Councilmember Clark, to table to January 3, 2001. In a voice vote, all voted in favor. (Motion carried 5-0)

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### **11.2 Environmental Board (Mayor Venis)**

This item was deferred to the next meeting.

### **11.3 Code of Ethics**

Vice-Mayor Weiner asked Mr. Truex about the Broward County Commission's statement. Mr. Truex indicated that it was not like the ethics code that he had proposed, but did have some elements in common.

Mayor Venis asked if all municipal officials were bound by the code adopted by Broward County. Acting Town Clerk McDaniel stated that she was required to provide this statement to the candidates, however, their signing was voluntary. Mayor Venis stated that Council's intent was not to have something repetitious of the State or County's codes.

### **11.4 Interim Town Administrator's Evaluation**

Mr. Willi stated that Council had requested a review of his job performance and advised that he had compiled a memo outlining the Town's accomplishments during the last six months and specific goals. Mr. Willi discussed his accomplishments and explained his proposed goals.

Mr. Willi indicated that he had taken much criticism for only having an Associate's Degree. He advised that he planned to obtain his Bachelor's Degree in Business Administration or Professional Management.

Mr. Willi felt that thinking outside the norm did not mean policies and procedures were being side-stepped. He indicated that he was very fortunate to have a professional staff and he looked forward to the future of the Town and his continued employment.

Councilmember Clark stated that during her election, she had campaigned for the gym at the Potter's Park site which had been overlooked. She thanked Mr. Willi for his extra efforts to make this work, explaining that this was on the five-year capital budget. Councilmember Clark stated that she previously had issues with communication but Mr. Willi had addressed this matter. She advised that she was pleased with Mr. Willi's performance and would like to see the arrangement continue.

Councilmember Paul stated that she had found Mr. Willi to be responsive to her initiatives. She indicated that she had had concerns but much change was taking place and felt that looking ahead and moving forward were important. Councilmember Paul pointed out that the Town had much to offer and to continue to look at previous problems was a wrong approach. She commended Mr. Willi's pursuit of a degree, but natural abilities and strengths could be more helpful to the success of a position. Councilmember Paul felt that it would be best for the Town to settle down and she did not promote a search at this time.

Mayor Venis made reference to his experience in working with several administrators and reported that some with high degrees did not have the professional abilities. He felt that Mr. Willi had come in at a difficult time and was excelling in his position. Mayor Venis pointed out that administrators often saw position as a temporary position until their retirement. He commended Mr. Willi's plans to take classes and felt that he was doing an admirable job.

Councilmember Cox reminded Council that she had given Mr. Willi's review in November and she would not revisit that. She objected to how he dealt with terminations and hirings and she had a problem with the continuity that the Town seemed to be losing. Councilmember Cox gave an example of a park on 58th Avenue of which several staff

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members at a recent meeting had no knowledge. She said that sweeping out senior staff resulted in a loss of knowledge and experience and she did not feel that an interim position should be doing the hiring. Councilmember Cox advised that she would not participate in making Mr. Willi permanent.

Vice-Mayor Weiner stated that Mr. Willi knew of his concerns regarding the timing of his vacation and funeral leave and the heat Council took because of the disarray of the sports program. His major concern was with Mr. Willi's experience and his communication skills, however, his communication skills had grown considerably. Vice-Mayor Weiner spoke to Mr. Willi's skills and felt that he had a "can do" mentality, represented a fresh approach and was willing to take chances, to listen and learn - all of which he commended. He indicated that he was glad to see Mr. Willi proceeding with his education, but did not see this as a pre-qualification for the position. Vice-Mayor Weiner approved of Mr. Willi as a permanent administrator but would like to hold off until after the election so a new Council did not come in and immediately replace him. He felt that Mr. Willi was doing a good job and needed to continue to work on communication skills.

Mayor Venis recommended that Council proceed with making Mr. Willi the permanent Town Administrator. He stated that if safeguards were important, they could be added to the contract.

Councilmember Paul asked about Mr. Willi's goals regarding employee morale. Mr. Willi felt that this was a long process and recognizing employees was important. He indicated that the Town had given turkeys to some employees in a random raffle and he had received good input as a result. Mr. Willi added that it was important to know everyone's name and stated that the Town represented a team effort. He stated that specific ways of improving morale would be different as the needs indicate and were based on mutual respect.

Councilmember Paul cited an example where she had a very quick response to an issue which she appreciated. She felt that communication had improved tremendously.

Councilmember Clark felt there was a gross injustice in circumventing policy in the Fire Department. She felt that Mr. Willi had the right to expect loyalty from his management and she appreciated that Martin Luther King Day was being observed appropriately. Councilmember Clark cited an example where Mr. Willi had followed up on getting requested documents to her.

Councilmember Paul made a motion, seconded by Councilmember Clark, to make the position permanent subject to working out the details on a contract. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice Mayor Weiner - yes; Councilmember Cox - no; Councilmember Clark - yes; Councilmember Paul - yes; (Motion carried 4-1)

Mr. Willi pledged to work for all Councilmembers, as well as residents.

**12. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 10:54 p.m.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk